

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17284 of 2021**

Arising Out of PS. Case No.-205 Year-2020 Thana- SULTANGANJ District- Bhagalpur

Aman Kumar @ Sukan Son of Yogendra Mandal Resident of Village -
Nawada, P.S. - Sultanganj, District - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 302/34 and sections 25,26/27 of the Arms Act.

As per prosecution case on 26.9.2020 at about 11 am the informant came to know that her husband has been shot dead and the assailant namely Karu Sah has been nabbed by villagers with arms and ammunition. He disclosed that he committed murder along with Bajrangi Kumar and Sonu Kumar.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Informant is not the eye witness of the occurrence.



Petitioner's name has figured during course of investigation in confessional statement of co-accused Karu Sah. No incriminating material has been collected against the petitioner during course of the investigation. Petitioner claims clean antecedent and he is in custody since 28.9.2020. Charge sheet has already been submitted.

Considering the rival submissions of the parties, materials available on the record and the fact that petitioner has been made accused only on the basis of confessional statement of co-accused, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Bhagalpur in Sultanganj Police Station Case No. 205/2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

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